



436288

November 13, 1996

Ms. Arlene Lilly, Emergency Enforcement & Support Section  
Mr. Jose deLeon, Office of Regional Counsel  
U.S. EPA-Region 5  
Emergency Enforcement & Support Section SE -5J  
77 West Jackson Boulevard  
Chicago, Illinois 60604

re: Dayton Electroplate.

Dear Ms. Lilly & Mr. deLeon:

After receiving a copy of the EPA's letter addressed to Mr. Gordon Savage, I have tried to contact you by phone to discuss the issues and my lack of involvement with Dayton Electroplate. (I received this copy just two days ago.)

I do not have an attorney to assist with this matter at this time. However, I am hopeful and confident it won't be necessary for me to get one.

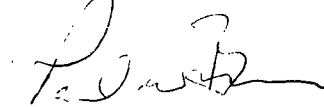
To begin, I left Dayton Electroplate's employment over three years ago. At no time did I have anything to do with the operations or business of Dayton Electroplate or its owner since that time, except for the deposition I gave regarding the Ohio EPA claims against Dayton Electroplate. Even at that time, the only communication I had with Dayton Electroplate was a couple of meetings regarding my deposition with counsel and one meeting with counsel and Mr. Chuck Borum. Subsequently, I was dismissed with prejudice. (A copy of the dismissal is enclosed.) I have not talked with, or communicated with Dayton Electroplate, its employees, or its owner since. (Even though there is family relationship with Chuck Borum, there has been no contact whatsoever.)

I have no documents, no knowledge of the company's shut down, its chemicals, tanks, drums, roll off boxes, building structures, vats, processes, or anything. I do not know how I can be of assistance or held responsible for any of the clean up activity or the financing of such clean up. I have never been an owner or associated financially with Dayton Electroplate other than my employment which ceased in May of '93.

Please contact me at the address and phone number below so that we can clear these issues up and confirm that I should not be involved with this whole activity.

Thank you for your help in regards to this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul W. Borum', with a stylized, cursive script.

Paul W. Borum

1114 Post Ave.  
Holland, MI 49424  
(W) (616) 243-3093  
(H) (616) 399-7271

IN THE COURT OF COMMON PLEAS  
MONTGOMERY COUNTY, OHIO

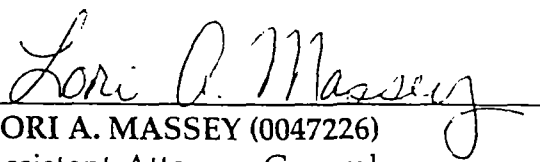
STATE OF OHIO, ex rel.	:	CASE NO. 94-0518
ATTORNEY GENERAL OF OHIO,	:	
	:	JUDGE BARBARA P. GORMAN
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
DAYTON ELECTROPLATE, INC. et al.	:	
	:	
Defendants.	:	

NOTICE OF DISMISSAL OF DEFENDANT PAUL W. BORUM

Pursuant to Ohio Civil Rule of Procedure 41(A)(1)(a), Plaintiff hereby dismisses, with prejudice, Defendant Paul W. Borum. Plaintiff has not previously dismissed Defendant Paul W. Borum in any court from an action based on or including the same claim.

Respectfully submitted,

BETTY D. MONTGOMERY  
ATTORNEY GENERAL OF OHIO

  
LORI A. MASSEY (0047226)  
Assistant Attorney General  
Environmental Enforcement Section  
30 East Broad Street, 25th Floor  
Columbus, Ohio 43215-3428  
(614) 466-2766

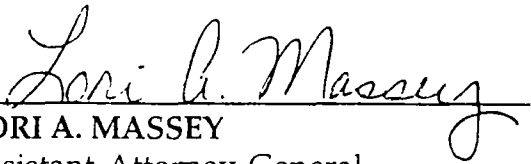
CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a copy of the foregoing NOTICE OF  
DISMISSAL OF DEFENDANT PAUL W. BORUM was delivered by regular U.S.

Mail on this 1<sup>st</sup> day of May 1995 to:

Mary M. Biagioli  
Pickrel, Schaeffer and Ebeling  
2700 Katering Tower  
Dayton, Ohio 45423

Attorney for Defendants  
Dayton Electroplate, Inc. et al

  
LORI A. MASSEY  
Assistant Attorney General